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EXHIBIT TO

0646/0D205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ramesh A. BHAT et al.

Filed: Concurrently Herewith

(Continued Prosecution Application of U.S. Serial No. 08/906,365
filed August 5, 1997)

For: **NOVEL HUMAN ESTROGEN RECEPTOR-BETA**

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is Form PTO-1449, and copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

The presently disclosed references are not in the English language. However, since the search report is in English and the relevance of these references has been set forth thereon, it is believed that the applicants have satisfied the "concise explanation" requirement under 37 C.F.R. 1.98.

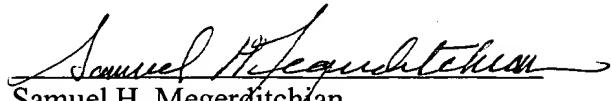
In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b).

and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,


Samuel H. Megerditchian
Reg. No. 45,678
Agent for Applicant(s)

DARBY & DARBY P.C.
805 Third Avenue
New York, New York 10022
212-527-7700

LIST OF REFERENCES CITED BY APPLICANT

(Use Several Sheets if Necessary)

DOCKET NO.:
APPLICANT:

0646/OD205

SERIAL NO: ~~TO BE ASSIGNED~~

08/906,365

Ramesh A. BHAT, et al.

FILING DATE: ~~CONCURRENT~~

JC564 U.S. PTO
 09/541583

 04/03/00

U.S. PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
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FOREIGN PATENT DOCUMENTS

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES</u>	<u>NO</u>
	W097/09348 0 798 378	MARCH 13, 1997 OCTOBER 1, 1997			INTERNATIONAL EPO		

OTHER REFERENCES**(INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)***EXAMINER INITIALS

Sieste Mosselman, et al., ER β Identification and Characterization of a Novel Human Estrogen Receptor, FEBS, Volume 3902/1, 49-53 (1996).

EXAMINER: _____

DATE CONSIDERED: _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.